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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06/02/2006</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-30</u> is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-30</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>02 June 2006</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a)☒ All　b)☐ Some *　c)☐ None of:
　　　1.☐ Certified copies of the priority documents have been received.
　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.
　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date <u>06/02/2006</u>.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1. claims1-30, have been examined and are pending.

Information Disclosure Statement

2. An initialed and dated copy of applicant's IDS form 1449 submitted 06/02/2006, is attached

to the instant office action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5,12, and 26 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

Claim 5 recites the limitation "the receiving terminal". There is insufficient

antecedent basis for this limitation in the claim.

Regarding claims 12 and 26, the phrase "or the like" renders the claim(s)

indefinite because the claim(s) include(s) elements not actually disclosed (those

encompassed by "or the like"), thereby rendering the scope of the claim(s)

unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10, 12, 14, 17-26, and 28 are rejected under 35 U.S.C. 102(b) as being

anticipated by Altschuler to **(US5465300).**

Regarding claim 1, Altschuler teaches a method of establishing a secure ,requested

communication session between a calling terminal and a called terminal over a given

physical channel, wherein the session requires the determination of session parameters

before the session can be executed**(see fig.1 , fig.6 and abstract)**

determining, by means of at least one available session key **(i.e. user-identity)**,

whether any session parameters for a previous session between the terminals have

been stored in the terminals (abstract , **discloses checking if the user-identity**

corresponds to a user-identity included on an approved list)

if session parameters for a previous session between the terminals have been stored in

the terminals, retrieving the stored session parameters **(i.e. an abbreviated secure**

call) in each of the terminals, such that the requested session can be executed based

on the retrieved session parameters **(abstract, fig.1, and fig.6 disclose if the user-**

identity corresponds to a user-identity included on an approved list an

abbreviated secure call is executed. In addition, fig.6 discloses updating the

approved list every time when a user-identity that is not on the approved list

detected. Thus, members of the approved list are terminals that have had

established communication with other terminal previously).

Regarding claim 17, Altschuler teaches a terminal adapted to establish a requested

communication session with another terminal over a given physical channel, wherein

the session requires the determination of session parameters before the session can be

executed(**see fig.1 , fig.6 and abstract)**,

means for determining, by means of at least one available session key**(i.e. user-**

identity), whether any session parameters for a previous session between the terminals

have been stored in the terminal **(abstract , discloses checking if the user-identity**

corresponds to a user-identity included on an approved list)

means for retrieving the stored session parameters such that the requested session can

be executed based on the retrieved session parameters **(i.e. an abbreviated secure**

call), provided that the other terminal also has successfully retrieved the same session

parameters **(abstract, fig.1, and fig.6 disclose if the user-identity corresponds to a**

user-identity included on an approved list an abbreviated secure call is executed.

In addition, fig.6 discloses updating the approved list every time when a user-

identity that is not on the approved list detected. Thus, members of the approved

list are terminals that have had established communication with other terminal

previously)

Regarding claims 2,and 18, Altschuler teaches an available session key or keys

includes the telephone number of at least one of the two terminals **(abstract, fig.4**

discloses the session key as caller-ID, which is the telephone number of the

terminal)

Regarding claim 3, Altschuler teaches the calling terminal uses the telephone number

of the called terminal as the available session key to detect a match between that

telephone number and a stored session key associated with stored session parameters

(abstract , discloses checking if the user-identity corresponds to a user-identity

included on an approved list)

Regarding claim 4, Altschuler teaches the session keys include a primary session key

and a corresponding secondary session key, **(fig.4 discloses user-identity and traffic**

key) wherein at least one of the terminals, having detected a match between the

primary session key and a stored session key associated with stored session

parameters(**fig.4 discloses the stored user-identity and traffic key each**

corresponds to previous session parameters) , retrieves the corresponding

secondary session key and sends it to the other terminal(**fig.7 discloses generating**

traffic key and exchanging the traffic key).

Regarding claim 5, Altschuler teaches a secondary session key is used by the

receiving terminal to retrieve the stored session parameters, even if no primary session

key was available to the receiving terminal or if the receiving terminal had not detected

any match between the primary session key and any stored session key **(abstract**

discloses that if there is no match found between the user-identity and approved

list, a secure call set up executed. Further more, in fig 7, discloses setting up a

secure call using a traffic key).

Regarding claims 6, and 21, Altschuler teaches a secondary session key is used to

confirm that the stored session parameters have been used for a previous session

between the terminals**(fig.7 discloses generating traffic key and exchanging the**

traffic key, and fig.4 discloses stored user-identity and traffic key. Thus, traffic

key also corresponds to a previous session).

Regarding claims 7, and 22, Altschuler teaches a primary session key is the telephone

number of at least one of the two terminals **(fig.5 discloses caller-ID which a**

telephone number) and the secondary session key is any identification associated with

the previous session **(fig.4 discloses traffic key that is associated with user-**

identity).

Regarding claims 8,and 23, Altschuler teaches a secondary session key is a random

number **(fig.7 box.80)** generated during a master-slave determination step of a session

setup procedure for the previous session **(fig.7 discloses generating traffic key by**

exchanging messages).

Regarding claims 9, and 24, Altschuler teaches a sending terminal uses a standard

Master-Slave Determination (MSD) message containing the random number, to convey

the secondary session key to the receiving terminal **(fig.7 box.96 , discloses sending the random number along with a message to a remote area).**

Regarding claims 10, **and 25,** Altschuler teaches a MSD message includes an indication that the random number serves as a secondary session key **(fig.7 box.96, discloses sending the random number along with a message to a remote area that discloses future key message).**

Regarding claims 12, **and 26** ,Altschuler teaches a secondary session key is a separately defined .code, sequence number or the like, assigned for the previous session **(fig.7 box.96, discloses a traffic key or random number).**

Regarding claims 14, and 28 Altschuler teaches each of the terminals store session parameters used during an executed session, together with at least one session key, in order to enable the use of stored session parameters in a new session **(abstract, fig.1, and fig.6 disclose if the user-identity corresponds to a user-identity included on an approved list an abbreviated secure call is executed. In addition, fig.6 discloses updating the approved list every time when a user-identity that is not on the approved list detected. Thus, members of the approved list are terminals that have had established communication with other terminal previously).**

Regarding claim 19, Altschuler teaches an available session key is a primary session key, and if a match is detected between the primary session key and a stored session key associated with stored session parameters, the terminal is adapted to retrieve a

corresponding secondary session key and send it to the other terminal, **(abstract ,
discloses checking if the user-identity corresponds to a user-identity included
on an approved list)** such that the secondary session key can be used by the receiving
terminal to retrieve the stored session parameters, even if no primary session key was
available to the receiving terminal, or if the receiving terminal have not detected any
match between an available primary session key and any stored session key**(abstract
discloses that if there is no match found between the user-identity and approved
list, a secure call set up executed. Further more, in fig 7, discloses setting up a
secure call using a traffic key).**

Regarding claim 20, Altschuler teaches an available session key is a primary session
key, and the terminal is adapted to receive from the other terminal a corresponding
secondary session key, and use it to retrieve the stored session parameters by
detecting a match between that secondary session key and a stored session key
associated with the stored session parameters**(fig.7 discloses generating traffic key
and exchanging the traffic key, and fig.4 discloses stored user-identity and traffic
key. Thus, traffic key also corresponds to a previous session)**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 11, 13, 15-16, 27, and 29-30 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Altschuler in view of Coulombe to **(US-PG-PUB-**

2005/0060411)

Regarding claim 11, Altschuler does not teach according to the ITU-T H.324 standard,

a Terminal Capability Set (TCS) message is mandated as the very first message to be

send in a session setup procedure, the receiving terminal interprets the random number

in the MSD message as a secondary session key, if no TCS message was received

before receiving the MSD message

However, Coulombe teaches a receiving terminal interprets the random number

in the MSD message as a secondary session key, if no TCS message was received

before receiving the MSD message, according to the ITU-T H.324 standard **([0049]**

discloses In message 302, user agent A, e.g., mobile terminal 202 of FIG. 2,

transmits a SIP INVITE message to S-CSCF #1. S-CSCF #1 checks the media

capabilities of user agent A as defined by the SDP definition for user agent A, i.e.,

SDP1, in step 304. The check consists of validating that the media capabilities

described by SDP1 are compatible with the local network policies)

Therefore, it would have been obvious to one ordinary skill in the art at the time

the invention was made to enable the system of Altschuler receiving terminal interprets

the random number in the MSD message as a secondary session key, if no TCS

message was received before receiving the MSD message, as suggested by

Coulombe. This modification would benefit the system of Altschuler to implement an

optional parameter retrieval method.

Regarding claims 13, **and 27,** Altschuler does not teach an INVITE message is

mandated as the first message to be sent in a session setup procedure according to the

Session Initiation Protocol (SIP), header field information of the INVITE message is

used as session key(s)

However, Coulombe teaches an INVITE message is mandated as the first

message to be sent in a session setup procedure according to the Session Initiation

Protocol (SIP), header field information of the INVITE message is used as session

key(s)**([0049] discloses in message 302, user agent A, e.g., mobile terminal 202**

of FIG. 2, transmits a SIP INVITE message to S-CSCF #1. S-CSCF #1 checks the

media capabilities of user agent A as defined by the SDP definition for user agent

A, i.e., SDP1, in step 304. The check consists of validating that the media

capabilities described by SDP1 are compatible with the local network policies.

The INVITE message with SDP1 is proxied to S-CSCF #2, which is the home proxy

for user agent B, in message 306. S-CSCF #2 then checks the media capabilities

of user agent A as defined by SDP1 and compares the session definition with the

media capabilities of user agent B as in step 308. S-CSCF #2 has prior knowledge

of the media capabilities of user agent B as obtained through the use of, for

example: a registrar or a profile server; SDP descriptions obtained from a default

SDP session in the registration or profile server; SDP descriptions obtained from

a response to an OPTIONS request; or the UAProf specification).

Therefore it would have been obvious to one ordinary skill in the art at the time

the invention was made to enable the system of Altschuler to include an INVITE

message is mandated as the first message to be sent in a session setup procedure

according to the Session Initiation Protocol (SIP), header field information of the INVITE

message is used as session key(s), **as suggested by** Coulombe. This modification

would benefit the system of Altschuler to implement a fast call setup using the

information on the invite header.

Regarding claims 15, and 29, Altschuler does not teach a terminal sending to the

other terminal a message acknowledging its capability of using stored session

parameters at a later session

However, Coulombe teaches a terminal sending to the other terminal a message

acknowledging its capability of using stored session parameters at a later session **(**

[0051] discloses the adaptation server then compares the SDP definitions for user

agent A and user agent B, determines the resources that are required to translate

the media streams between user agent A and B, and then reserves those

resources to support the media session in step 312. The adaptation server then

modifies the SDP1 definition for user agent A to form the modified SDP definition,

SDPT1, if required. Similarly, the adaptation server modifies the SDP2 definition

for user agent B to form the modified SDP definition, SDPT2, if required. The

adaptation server then transmits the modified SDP definitions, SDPT1 and

SDPT2, to S-CSCF #2 within acknowledgment message 314, where the modified

SDP definitions provide updated IP address, port number, media type, codec, and

attribute information to support the media session)

Therefore it would have been obvious to one ordinary skill in the art at the time

the invention was made to enable the system of Altschuler terminal to send to the other

terminal a message acknowledging its capability of using stored session parameters at

a later session, as suggested by Coulombe. This modification would benefit the system

of Altschuler to setup calls among appropriate terminals that have comparable

capability.

Regarding claims 16, and 30 Altschuler does not teach a requested session is a

multimedia call requiring the transfer of separate media streams for at least audio and

video

However, Coulombe teaches a requested session is a multimedia call requiring

the transfer of separate media streams for at least audio and video**([0026] discloses a**

session initiated by SIP generally utilizes a combination of media content such as

speech, audio and video streams, but the session may also contain shared

applications such as whiteboard or text messages. Even network gaming

sessions may be setup by SIP as long as all of the participating applications

understand the required parameters for the game. SIP is especially advantageous

when a variety of protocols and mechanisms are required in support of a

particular session. In particular, Voice over IP (VoIP) requires session setup

signaling between two User Agents (UA); a transport such as Real-time Transport

Protocol (RTP) to carry the actual voice payload; and control such as the RTP

Control Protocol (RTCP) to monitor the quality of the service and to generate

reports to the network, all of which may be successfully handled in a SIP

message exchange)

Therefore it would have been obvious to one ordinary skill in the art at the time

the invention was made to enable the system of Altschuler requests a multimedia call

requiring the transfer of separate media streams for at least audio and video, as

suggested by Coulombe. This modification would benefit the system of Altschuler as a

design choice.

Conclusion

 The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. (See PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ZEWDU BEYEN whose telephone number is (571)270-7157. The examiner can normally be reached on Monday thru Friday, 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 1-571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Z. B./

Examiner, Art Unit 2419

/Hassan Kizou/

Supervisory Patent Examiner, Art Unit 2419